

**REMARKS**

Claims 1-7 have been cancelled, and Claim 23 has been added. Thus, Claims 8-23 are currently pending in the present application, of which Claim 22 has been amended.

The typographical errors in Claim 22 have been corrected. Thus, the claim objection to Claim 2 is believed to be overcome.

Rejection under 35 U.S.C. § 101

Claims 1-8 were rejected under 35 U.S.C. § 101 because they were directed to "a state machine" that is a program per se, and thus considered as non-statutory subject matter. Applicant respectfully traverses such rejection.

Claims 1-7 have been cancelled; thus, the § 101 rejection is deemed moot. Claim 8 is not direct to a state machine, thus, the § 101 rejection is not applicable.

Rejection under 35 U.S.C. § 103

Claims 1-22 were rejected under 35 U.S.C. § 103(a) as being unpatentable over *Mead* (US 4,099,230). Applicant respectfully traverses such rejection.

Claim 8 (and similarly Claims 15 and 22-23) recites a computer program product for processing "structured assembly language" (lines 1-2). *Mead* is related to a method and system for implementing program storage and retrieval in a computer (col. 1, lines 10-11). Although *Mead* briefly mentions program structure, *Mead* does not teach or suggest "structured assembly language" at all.

The claimed computer program product includes "program code means for implementing a state machine having an IF state, an ELSE state, an END\_IF state, an ELSE\_IF state, and a SETUP\_IF state" (line 3-4). As stated by the Examiner on page 7 of the Office Action, *Mead* does not disclose the claimed SETUP\_IF state. Also, contrary to the characterization by the Examiner, the claimed SET\_UP state is not a label merely created by a programmer. The

claimed SET\_UP state is one of the various states recognizable by the claimed state machine capable of processing structured assembly language.

For example, in response to recognizing a SETUP\_IF clause, the claimed state machine transitions "from said IF state or said ELSE\_IF state to said SETUP\_IF state" (lines 5-6). Also, in response to recognizing an ELSE\_IF clause, the claimed state machine transitions "from said SETUP\_IF state to said ELSE\_IF state" (lines 7-8). Because the claimed invention recites novel features that are not found in *Mead*, the § 103 rejection is believed to be overcome.

**CONCLUSION**

Claims 8-23 are currently pending in the present application. For the reasons stated above, Applicant believes that independent Claims 8, 15 and 22-23 along with their respective dependent claims are in condition for allowance. The remaining prior art cited by the Examiner, but not relied upon, has been reviewed and is not believed to show or suggest the claimed invention.

No fee or extension of time is believed to be necessary; however, in the event that any additional fee or extension of time is required for the prosecution of this application, please charge it against IBM Deposit Account No. 09-0464.

Respectfully submitted,



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